

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YOLANDA DELIA ARIAS SANTOS,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
LATAM AIRLINES GROUP S.A., a foreign	:
Corporation,	:
	:
Defendant.	:
	:
----- x	

18 CV 10835(PKC) (RWL)

**AFFIDAVIT IN SUPPORT OF
MOTION TO DISMISS**

STATE OF FLORIDA)
)
COUNTY OF DADE)

GRECIA SOSA, being first duly sworn, deposed and says:

1. I am Corporate Counsel for defendant LATAM Airlines Group S.A. and maintain my office at 6500 NW 22nd Street, Miami, FL 33122.
2. I have been employed by LATAM since 2017 and as Corporate Counsel I am familiar with the corporate structure of LATAM and the nature and extent of its operations in the United States.
3. LATAM is an international air carrier with its headquarters and principal place of business in Santiago, Chile and it operates scheduled air services to a number of cities in the United States including Miami, Orlando, Tampa, Philadelphia, Phoenix and New York.
4. I have read the Amended Complaint and am aware that this litigation arises out of an injury sustained by passenger Yolanda Delia Arias Santos who was traveling between New York and Guayaquil, Ecuador on LATAM Flight XL 1439 on September 12, 2018.

5. While I have no personal knowledge of the incident on the aircraft, I have obtained from our head office in Santiago the attached documents which relate to this passenger and this incident.

6. Each of the documents annexed to this Affidavit is a document kept in the regular course of business of LATAM and is a document required by our internal procedures to be kept in the event of any claim of injury to a passenger on a LATAM aircraft.

7. Attached as Exhibit A is a list of the cabin crewmembers who were on duty during this flight. All of them are residents of South America.

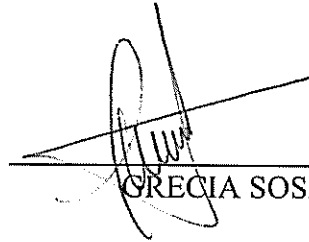
8. Attached as Exhibit B is the report of flight attendant Marcia Alexandra Cevallos Cornejo who spoke with this passenger on the flight.

9. Attached as Exhibit C is a copy of the reservation record for passenger Arias Santos/Yolanda Delia and the notations on that document confirm that the passenger was booked from Guayaquil, Ecuador to JFK June 26, 2018 on Flight XL 1438. The document also confirms that this passenger was booked on LATAM Flight XL 1439 from JFK to Guayaquil September 12, 2018.

10. The document also confirms that the passenger ticket was purchased in the United States and paid for in U.S. dollars totaling \$545.09.

11. Finally, attached as Exhibit D is a Spanish language report from flight attendant Alexandra Cevallos (together with an informal English translation) about the incident on the aircraft and I am advised that our counsel is in the process of obtaining a formal certified translation from English to Spanish which will be submitted to the Court with this motion.

12. Finally, LATAM flight and cabin crewmembers who operate a LATAM service into JFK from South America normally stay at a crew hotel in New York and return on a southbound flight the following day. To the best of my knowledge, no flight or cabin crewmembers at LATAM own or lease an apartment in the New York area and their visits to New York are infrequent (possibly seven or eight times in the course of a year) and they are only here for an overnight trip.


GRECIA SOSA

Sworn to before me this
13 day of February, 2019



Notary Public

